

The Honorable John H. Chun

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMAZON.COM, INC., *et al.*

Defendants.

Case No. 2:23-cv-0932-JHC

EXHIBIT A

**DECLARATION OF OLIVIA
JERJIAN IN SUPPORT OF MOTION
FOR EXCESS FACT-WITNESS
DEPOSITIONS**

I, Olivia Jerjian, hereby state that I have personal knowledge of the facts set forth below. If called as a witness, I could and would testify as follows:

1. I am a United States citizen and am over eighteen years of age. I am a staff attorney in the Division of Enforcement, Bureau of Consumer Protection at the Federal Trade Commission (FTC). My office address is 600 Pennsylvania Avenue, NW, Washington, DC 20580.
2. Consistent with Local Rule 10(e)(10), orange highlighting has been added to the attachments to indicate excerpts referenced in this declaration. Blue highlighting

represents material that is being filed under seal and will be redacted in the public version of this declaration.

AMAZON’S DOCUMENT PRODUCTIONS

3. On March 16, 2021, the FTC issued a Civil Investigative Demand (“CID”) to Amazon.com, Inc. (“Amazon”) with document requests and interrogatories.
4. The chart below reflects the document productions Amazon made to the FTC during the investigation leading to this case.

Production Reference	Production Date	No. of Documents Produced
AMZN 001	April 22, 2021	3
AMZN 002 and 003	May 24, 2021	1,895
AMZN 004	June 21, 2021	1,178
AMZN 005	September 30, 2021	630
AMZN 006	October 25, 2021	860
AMZN 007	November 5, 2021	32
AMZN 008	November 17, 2021	1,055
AMZN 009	December 23, 2021	1,315
AMZN 010	February 18, 2022	1,843
AMZN 011	May 24, 2022	6
AMZN 012	June 1, 2022	2
AMZN 013	June 10, 2022	1,796
AMZN 014	June 13, 2022	8
AMZN 015	July 8, 2022	6
AMZN 016	August 4, 2022	194
AMZN 017	August 5, 2022	6
AMZN 018	October 7, 2022	10,876
AMZN 019	October 7, 2022	392
AMZN 020	October 21, 2022	164
AMZN 021	October 28, 2022	180
AMZN 022	November 7, 2022	496
AMZN 023	November 16, 2022	499
AMZN 024	November 22, 2022	561
AMZN 025	December 12, 2022	220
AMZN 026	December 22, 2022	2,514
AMZN 027	December 24, 2022	391
AMZN 028	January 4, 2023	9
AMZN 029	January 6, 2023	2,773
AMZN 030	January 24, 2023	40
AMZN 031	February 13, 2023	23

AMZN 032	April 20, 2023	1
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5. The chart below reflects the document productions that Amazon made to the FTC in the course of this litigation, excluding Amazon's production of customer data to the FTC.

Production Reference	Date of Production	No. of Documents Produced
Prod 1	December 22, 2023	26
Prod 2	December 29, 2023	410
Prod 3	January 19, 2024	1,985
Prod 4	February 2, 2024	6,785
Prod 5	February 17, 2024	13,865
Prod 6	March 1, 2024	2,278
Prod 7	March 17, 2024	34,395
Prod 8	March 29, 2024	24,666
Prod 9	April 5, 2024	11
Prod 10	April 20, 2024	221
Prod 11	April 24, 2024	358
Prod 12	May 3, 2024	67
Prod 13	May 3, 2024	426
Prod 14	May 17, 2024	136,124
Prod 15	May 24, 2024	7
Prod 16	June 6, 2024	5,143
Prod 17	June 6, 2024	986
Prod 18	June 7, 2024	915
Prod 19	June 28, 2024	24,464
Prod 20	July 12, 2024	214,826
Prod 20	July 12, 2024	255
Prod 21	July 18, 2024	15
Prod 22	July 19, 2024	831
Prod 23	August 16, 2024	18,719

6. On June 30, 2022, the FTC issued CIDs to current and former Amazon employees, including to Prime UX designer Christopher "C.R." Brown, setting investigative hearings ("IHs") and including document requests. The FTC provided a copy of Mr. Brown's CID to counsel for Amazon on July 20, 2022.
7. At that time, Amazon had produced no documents from Mr. Brown's custodial file.

8. As part of Mr. Brown's custodial file, Amazon produced a total of 185 documents during the investigation: (a) 180 documents on October 28, 2022 (as part of the "AMZN_021" production), just five days before his IH on November 2, 2022; (b) 1 document on January 4, 2023 (as part of the "AMZN_28" production); (c) 2 documents on January 24, 2023 (as part of the "AMZN_30" production); and (d) 2 documents on February 13, 2023 (as part of the "AMZN_31" production).
9. In the course of this litigation, Amazon has produced an additional 8,091 documents from Mr. Brown's custodial file.
10. Attachment 1 is a copy of Amazon's April 15, 2021 response to the FTC's investigatory Interrogatories.
11. Attachment 2 is a copy of an April 17, 2021 letter from counsel for Amazon to the FTC during the investigation.
12. Attachment 3 is a copy of a document produced by Amazon during the FTC's investigation, with Bates numbers AMZN_00156573–AMZN_00156576.

COMMUNICATIONS REGARDING EXCESS DEPOSITIONS

13. Attachment 4 is a copy of email communications between counsel for the Defendants and the FTC from June 11, 2024 through August 15, 2024 with the subject line: "FTC v. Amazon – Motion to Exceed Deposition Limit."
14. Attachment 5 is a copy of a May 17, 2024 letter from the FTC to counsel for Defendants.
15. Attachment 6 is a copy of a May 20, 2024 letter from the FTC to counsel for Defendants.

16. Attachment 7 is a copy of a May 24, 2024 letter from counsel for the Defendants to the FTC.
17. Attachment 8 is a copy of a May 29, 2024 letter from the FTC to counsel for Defendants.
18. Attachment 9 is a copy of a June 4, 2024 letter from counsel for the Defendants to the FTC.
19. Attachment 10 is a copy of a June 6, 2024 letter from the FTC to counsel for Defendants.
20. Attachment 11 is a copy of a June 10, 2024 letter from counsel for the Defendants to the FTC.
21. Attachment 12 is a copy of a June 24, 2024 letter from the FTC to counsel for Defendants.
22. Attachment 13 is a copy of a July 1, 2024 letter from counsel for the Defendants to the FTC.
23. Attachment 14 is a copy of a July 10, 2024 letter from the FTC to counsel for Defendants.
24. Attachment 15 is a copy of a July 18, 2024 letter from counsel for the Defendants to the FTC.
25. Attachment 16 is a copy of a July 31, 2024 letter from counsel for the Defendants to the FTC.
26. Bharath Srinivasan's LinkedIn profile states that from October 2018 through April 2023, he was "Global Product Head for Amazon Prime membership growth" and

“[led] product management for Prime member acquisition, retention, [and] cancel prevention.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 28, 2024

/s/ Olivia Jerjian
Olivia Jerjian